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Attorney for Applicant

Date: 13 Apr. / 2004



Application No. : 10/629,887
Applicant : Milton, et al.
Filed : 29 July 2003
TC/A.U. : 3765
Examiner : Not Yet Known
Title : ARTICLE DISPENSING AND COUNTING METHOD AND DEVICE
Atty. Docket No. : DB000974-001
Customer No. : 24122

To: Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 CFR 1.47(a)

On February 2, 2004 a Petition was filed under 37 CFR 1.147(a). A Decision Refusing Status Under 37 CFR 1.47(a) was mailed 25 February 2004. In the Decision it was indicated that a reply may include an oath or declaration executed by the non-signing inventor.

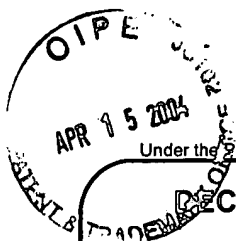
In response, applicants enclose a Declaration for Utility or Design Patent Application executed by Michael Bergeron, the non-signing inventor. In view of Mr. Bergeron's execution of the enclosed Declaration, applicants submit that the Notice of Missing Parts mailed 29 October 2003 has now been fully complied with and that the application is now in condition for examination.

Respectfully submitted,



Edward L. Pencoske
Reg. No. 29,688
Thorp Reed & Armstrong, LLP
One Oxford Centre, 14th Floor
301 Grant Street
Pittsburgh, Pennsylvania 15219-1425
Tel.: 412/394-7789, Fax: 412/394-2555
Attorney for Applicant

Dated: 13 April 2004



**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**



Declaration
Submitted
With Initial
Filing

OR



Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

| | |
|------------------------|------------------|
| Attorney Docket Number | DB000974-001 |
| First Named Inventor | Milton et al. |
| COMPLETE IF KNOWN | |
| Application Number | 10/629,887 |
| Filing Date | 29 July 2003 |
| Art Unit | 3765 |
| Examiner Name | Not Yet Assigned |

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ARTICLE DISPENSING AND COUNTING METHOD AND DEVICE

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

07/29/2003

as United States Application Number or PCT International

Application Number

10/629,887

and was amended on (MM/DD/YYYY)

10/15/2003

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|--|---------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | | | Yes | No |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | | <input type="checkbox"/> | <input type="checkbox"/> |

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

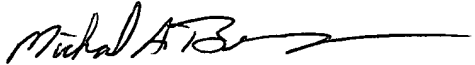
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DECLARATION — Utility or Design Patent Application

| | | | |
|---|-------------|---|---------------------|
| Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number: 24122 OR <input type="checkbox"/> Correspondence address below | | | |
| Name | | | |
| Address | | | |
| City | | State | ZIP |
| Country | Telephone | Fax | |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. | | | |
| NAME OF SOLE OR FIRST INVENTOR: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) Brian | | Family Name or Surname Broussard | |
| Inventor's Signature | | | Date |
| Residence: City Lafayette | State LA | Country U.S. | Citizenship U.S. |
| Mailing Address 309 Leonie Street | | | |
| City Lafayette | State LA | ZIP 70506 | Country U.S. |
| NAME OF SECOND INVENTOR: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) Monroe | | Family Name or Surname Milton | |
| Inventor's Signature | | | Date |
| Residence: City Lecompte | State LA | Country U.S. | Citizenship U.S. |
| Mailing Address 1605 Highway 457 | | | |
| City Lecompte | State LA | ZIP 71346 | Country U.S. |
| <input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the <u>2</u> supplemental sheet(s) PTO/SB/02A or 02LR attached hereto. | | | |

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DECLARATION**ADDITIONAL INVENTOR(S)**
Supplemental SheetPage 1 of 2

| | | | |
|--|-------------|---|---------------------|
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Michael | | Bergeron | |
| Inventor's Signature  | | Date <u>4-1-04</u> | |
| Pineville Residence: City | LA State | U.S. Country | U.S. Citizenship |
| 4312 Overview Drive Mailing Address | | | |
| Mailing Address | | | |
| Pineville City | LA State | 71360 Zip | U.S. Country |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Steven J. | | Remis | |
| Inventor's Signature | | Date | |
| Ford City Residence: City | PA State | U.S. Country | U.S. Citizenship |
| 771 Main Street Mailing Address | | | |
| Mailing Address | | | |
| Ford City City | PA State | 16226 Zip | U.S. Country |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| Joseph | | Popovich | |
| Inventor's Signature | | Date | |
| McMurray Residence: City | PA State | U.S. Country | U.S. Citizenship |
| 105 Canterbury Lane Mailing Address | | | |
| Mailing Address | | | |
| McMurray City | PA State | 15317 Zip | U.S. Country |

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DECLARATION**ADDITIONAL INVENTOR(S)
Supplemental Sheet**Page 2 of 2

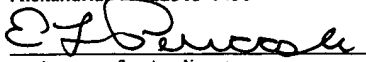
| | | | |
|---|----------|---|------------------|
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| John | | Volkar | |
| Inventor's Signature | | Date | |
| Amity Residence: City | PA State | U.S. Country | U.S. Citizenship |
| 683 Amity Ridge Road Mailing Address | | | |
| Mailing Address | | | |
| Amity City | PA State | 15311 Zip | U.S. Country |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| | | | |
| Inventor's Signature | | Date | |
| Residence: City | State | Country | Citizenship |
| Mailing Address | | | |
| Mailing Address | | | |
| City | State | Zip | Country |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle (if any)) | | Family Name or Surname | |
| | | | |
| Inventor's Signature | | Date | |
| Residence: City | State | Country | Citizenship |
| Mailing Address | | | |
| Mailing Address | | | |
| City | State | Zip | Country |

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Attorney for Applicant

Date: 13 Apr: 12004



Image
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Atty. Docket No. : DB000974-001
Customer No. : 24122

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P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Enclosed for filing in the above-captioned application, please find the following:

- Request for Reconsideration of Petition Under 37 CFR 1.47(a); and
- Declaration.

Also enclosed is a return postcard. Please date stamp and mail the postcard in order to acknowledge receipt of the above-reference correspondence. The Commissioner is hereby authorized to charge any underpayment or credit any overpayment to our Deposit Account No. 20-0888. A duplicate copy of this transmittal is enclosed.

Respectfully submitted,



Edward L. Pencoske
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Thorp Reed & Armstrong, LLP
One Oxford Centre, 14th Floor
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Tel.: 412/394-7789
Fax: 412/394-2555
Attorney for Applicant

Dated: 13 Apr: 12004